

INFORMATION

JD-CR-71 Rev. 3-11

STATE OF CONNECTICUT
SUPERIOR COURT

Disposition date

Police Case number

2019-010749

Agency name

Darien Police Department

Agency number

035
Arrest Warrant

Geographical
area
number

1
State of Connecticut vs. Hardison, Joseph H. 3rd

To: Any Proper Officer of the State of Connecticut

By Authority of the State of Connecticut, you are hereby commanded to arrest the body of the within-named accused. ("X" all that apply)

☐ A. Accused is ordered to be brought before a clerk or assistant clerk of the Superior Court.

☐ B. Accused is not entitled to bail.

If A, B or both are checked above, you shall without undue delay bring the arrested person before the clerk or assistant clerk of the Superior Court for the geographical area where the offense is alleged to have been committed, or if the clerk's office is not open, to a community correctional center within said geographical area, or the nearest community correctional center if no such center exists in the geographical area, or to the Correctional Institution, as the case may be.

☐ C. Bail set at _____

☐ D. Non-financial conditions of release: _____

Extradition boundaries
established by prosecutor

☒ E. Conditions of release not determined by court.

By the Court

Signed (Judge of the Superior Court)

Date

Name of Judge (Print or type)

Return On Arrest Warrant

Geographical
area
number

1

Town of

Darien

Date

9/24/19
State of Connecticut

Then and there, by virtue of the within and foregoing complaint and warrant, I arrested the body of the within-named accused and read the same in the hearing of said accused; and have said accused here in court for examination.

Attest (Officer's signature and Department)

Date

Other Court action

Judge

ARREST WARRANT APPLICATIONJD-CR-64b Rev. 3-11
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3**STATE OF CONNECTICUT
SUPERIOR COURT**
www.jud.ct.gov

For Court Use Only

Supporting Affidavits sealed

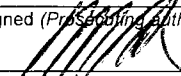
☐ Yes ☐ No

Police Case number 2019-010749	Agency name Darien Police Department	Agency number 035
Name (Last, First, Middle Initial) Hardison, Joseph H. 3rd	Residence (Town) of accused Darien	Court to be held at (Town) Darien
		Geographical Area number 1

Application For Arrest Warrant

To: A Judge of the Superior Court

The undersigned hereby applies for a warrant for the arrest of the above-named accused on the basis of the facts set forth in the: ☒ Affidavit Below. ☐ Affidavit(s) Attached.

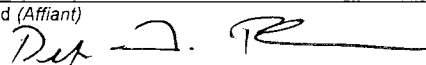
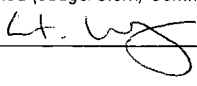
Date 9-3-19	Signed (Prosecuting Authority) 	Type/print name of prosecuting authority Nick...
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Affidavit

The undersigned affiant, being duly sworn, deposes and says:

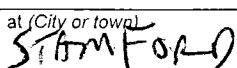
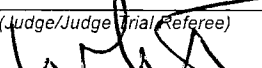
1. That the Affiant, Detective James Palmieri, has been a regular sworn member of the Darien Police Department for the past 11 years. During my tenure, I have conducted numerous investigations that have resulted in arrests and convictions. The affiant is currently assigned to the detective division.
2. That I have recently been assigned to investigate several high notoriety incidents that have occurred within the town of Darien. These incidents revolve around staff at Darien High School and alleged crimes committed by these staff members. In the three incidents I investigated, the focus of the investigations were DHS coaches Robert and Marjorie Trifone. For further information, please see cases: 2017-013042 and 2019-003399.
3. That In all three incidents the allegations made were fully investigated and determined not to rise to the level of criminal. In addition to the actual complainants in these cases, a third party by the name of Joseph "Jay" Hardison has continuously sent emails concerning these events to a large email list containing public and elected officials, Darien Board of Ed Members, private citizens, numerous news media outlets (some of which are out of state), and others. In the emails, Hardison uses the above mentioned cases, and additional events, to express his strong displeasure in the handling of these incidents, and to request an independent investigation be undertaken within the Darien School District. Hardison further attempted to involve himself in the above referenced criminal investigations, making numerous phone calls and email communications to the Darien Police Department, the Office of States Attorney for GA-1, and the Chief State's attorney's office. Hardison had no standing in any of the above cases except that the allegations supported his claims of mishandling of incidents by the Darien BOE. To my knowledge, at no time did Hardison make any physical threats, use profanity, or become belligerent.
4. That I first became aware of the email distribution chain in September of 2017, as I was added to the distribution list due to my investigations. Much of the content references accusations that the Darien Board of Education mishandled the incidents referenced in the above case numbers. There are exchanges of various documents in regards to same, to include FOI productions at the request of Hardison and others. Some of the productions include personal information, employee discipline information, and other sensitive documents which Hardison uses to support his standpoint. Much of the email exchanges are in regards to legal confrontations between Hardison and the Board of Education's attorneys in regards to

(This is page 1 of a 3 page Affidavit.)

Date 8/15/17	Signed (Affiant) 
Jurat	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 8-15-19 

Finding

The foregoing Application for an arrest warrant, and affidavit(s) attached to said Application, having been submitted to and considered by the undersigned, the undersigned finds from said affidavit(s) that there is probable cause to believe that an offense has been committed and that the accused committed it and, therefore, that probable cause exists for the issuance of a warrant for the arrest of the above-named accused.

Date and Signature 	Signed at (City or town) STAMFORD	On (Date) 9-4-19	Signed (Judge/Judge Trial Referee) 	Name of Judge/Judge Trial Referee WHITE
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ARREST WARRANT APPLICATIONJD-CR-64a Rev. 3-11
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3**STATE OF CONNECTICUT
SUPERIOR COURT**

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19-10749

Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Hardison, Joseph H. 3rd	Darien	Darien	1

Affidavit - Continued

applicable FOI laws. Hardison also seems to be in possession of a large amount of documentation that was provided to me by the complainants in the above cases.

5. That on July 30th, 2019 I met with Robert and Marjorie Trifone, accompanied by their lawyer Mark Sherman, in regards to the above actions by Jay Hardison. The Rob and Marj explained to me that they felt they were being harassed and/or targeted by Jay Hardison in what they felt was an effort to have them terminated by the Darien School District. I informed the Trifones that I had been involved in all of the investigations and that Hardison's expression of his opinion in public was not a crime.

6. That Mark Sherman provided me with a copy of an email dated July 17th, 2019 that he had come into possession of. The Email came from Jay Hardison (hardison27@hotmail.com) and was addressed to over 60 recipients to include public and elected officials from both the town and State of CT, Darien Board of Ed Members past and present, private citizens, numerous media outlets from Darien, Connecticut, and New York to include: the Stamford Advocate, the Wall Street Journal, New York Post, Hartford Courant, the New Haven Register, and News Channel 12. I had also been a blind copy recipient of the email. The body of the email references an incident that Hardison refers to as "Money Laundering" where he accuses Robert Trifone of Larceny of funds (This incident has been fully investigated in case 2019-003399 and after consultation with the State's Attorney's office it was determined not crime had occurred). The email contains numerous attachments, one of which is titled "Doc 3 DCF report from 2017_20190711_001.pdf." The document appears to originate from an email sent to Hardison from a Louise Schmidt, who was the complainant in one of the incidents investigated as part of Case #2017-013042. The attachment is a PDF file of a DCF "CFS Report Narrative" dated July 19th, 2017. The document is the record of a DCF report made by Darien High School Principal Ellen Dunn. The narrative outlines the allegations made by Schmidt to Dunn in regards to her daughter's experience while on a girls swim team trip on September 4th, 2016. Although the original text of the document doesn't name any suspects, in this PDF the name "Marj Trifone" is hand written onto the document.

7. It was the opinion of Sherman that the dissemination of this document was a violation of Connecticut General Statute 17a-28; Confidentiality and Access to Records. The basis of this law being that DCF reports are confidential documents that contain personal information about reporting parties, victims, suspects, etc, and are only allegations at the time they are produced. The law attempts to protect that information save exceptions outlined in the law for legal dissemination.

8. That upon review of 17a-28; records can be released by DCF to a defined group of parties. Section (k) of the law outlines that if a written records are disclosed to an individual who is not the subject of the record, further dissemination should bear a stamp indicating its confidentiality and must be accompanied with written consent from the subject of the record. The consent must to whom the record was released and for what specific use (Attorney Sherman provided me with an example of a record cover sheet that warns against violation of 17a-28).

9. That on August 8th, 2019 I spoke with the Principal Attorney for the Department of Children and Families, Mark Feller. I gave Attn. Feller a brief description of the investigation I was conducting, and asked about the application of 17a-28 to the email dissemination by Hardison. Feller seemed to think that the only way Hardison could have come into possession of the DCF report is by way of FOI request to the Board of Education or from the subject/parent of subject of the report itself as these were two legal venues to disseminate the report. Feller stated that if the subject and/or the parent of the subject had provided the document to Hardison, this would be a legitimate distribution. He stated that the further dissemination of the

(This is page 2 of a 3 page Affidavit.)

Date	8/15/19	Signed (Affiant)	Det. J. R.
Jurat	Subscribed and sworn to before me on (Date) 8-15-19	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	Lt. W.
Reviewed (Prosecutorial Official)	Date 9-3-19	Reviewed (Judge/Judge Trial Referee)	Date 9-4-19

ARREST WARRANT APPLICATION

JD-CR-64a Rev. 3-11
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
SUPERIOR COURT**

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19-10749

Name (Last, First, Middle Initial) Hardison, Joseph H. 3rd	Residence (Town) of accused Darien	Court to be held at (Town) Darien	Geographical Area number 1
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Affidavit - Continued

document by Hardison was in violation of 17a-28, stating specifically that dissemination to public media outlets went against the confidentiality sought by the law. He told me the general "test" used is that dissemination to 3rd parties can only be made by the subject and/or the parent of the subject. Any further dissemination is prohibited.

10. That Jay Hardison had no legal standing to disseminate the confidential DCF document as he did in the above referenced email.

11. That probable cause exists to charge Joseph Hardison (DOB 9/15/1962) with violation of CGS 17a-28.

(This is page 3 of a 3 page Affidavit.)

Date 8/15/19	Signed (Affiant) Det. J. R.
Jurat Subscribed and sworn to before me on (Date) 8-15-19	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) L. J.
Reviewed (Prosecutorial Official) [Signature]	Date 9-5-19
Reviewed (Judge/Judge Trial Referee) [Signature]	Date 9-4-19